

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X	:CASE NO.: 18-43414
	:
IN RE:	:CHAPTER: 13
	:
Vanessa D Calloway-Smith	:HON. JUDGE.:
	:CARLA E. CRAIG
Debtor(s)	:HEARING DATE:
	:
-----X	

**NOTICE OF OBJECTION TO DEBTOR'S REQUEST TO EXTEND THE
AUTOMATIC STAY**

PLEASE TAKE NOTICE that BSI Financial Services as servicer for U.S. Bank Trust National Association, as Trustee of Bungalow Series F Trust ("Secured Creditor"), the holder of a mortgage on real property of the debtor(s), by and through its undersigned attorneys, hereby objects to the request to extend the automatic stay on grounds including:

1. Secured Creditor holds the mortgage on Debtor's residence which is located at 216 Mothergaston Blvd (the "Property"). Debtor filed the instant bankruptcy filing on June 12, 2018.
2. This is Debtor's second filing within the past year and third filing within the last eighteen (18) months. Both prior filings were dismissed. Counsel in their Motion to Extend Stay indicates that in the prior filing, Debtor was not represented by counsel, and while that is accurate, Debtor did have counsel on her first filing, 16-44302, clearly illustrating that the Debtor has been given ample time and opportunity to have a successful re-organization of her debts and has been unable to do so.
3. Furthermore, all three (3) of the Debtor's filings have been commenced on the eve of a foreclosure sale, so the timing of this motion is highly suspect and illustrates a stall tactic used to harm Secured Creditor in its rights to properly foreclose on the property. To date, Debtor(s) have failed to make any post-petition payments to the lender, leaving the lender not adequately protected. Debtor(s) are using the protection of the Bankruptcy process to impede Secured Creditor's foreclosure action.
4. This Court's re-imposing of the automatic stay should be denied as the Debtor(s) have shown a clear inability to successfully reorganize.

5. For the reasons stated above, and for any others that the Court deems fit to adopt, Secured Creditor respectfully objects to Debtor(s) request to extend the automatic stay.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

FRIEDMAN VARTOLO LLP
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Attorneys for BSI Financial Services as
servicer for U.S. Bank Trust National
Association, as Trustee of Bungalow Series
F Trust
By: /s/ Adam J. Friedman
Adam J. Friedman, Esq.

Date: July 12, 2018

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CERTIFICATE OF SERVICE

On July 12, 2018, I served a true copy of the annexed **NOTICE OF OBJECTION TO EXTEND AUTOMATIC STAY** by mailing the same by First Class Mail in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee, and the property address as indicated on the attached Service List annexed hereto.

By: /s/ Adam J. Friedman
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